

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

WILLIE MCNAIR,	)	
	)	
Plaintiff/Counter-Defendant,	)	
	)	
v.	)	Case No. 2:06-cv-695-WKW
	)	
RICHARD ALLEN, et al.,	)	
	)	
Defendants/Counter-Plaintiffs.	)	
<hr style="width: 40%; margin-left: 0;"/>		
JAMES CALLAHAN,	)	
	)	
Plaintiff/Counter-Defendant,	)	
	)	
v.	)	Case No. 2:06-cv-919-WKW
	)	
RICHARD ALLEN, et al.,	)	
	)	
Defendants/Counter-Plaintiffs.	)	

**JOINT DEPOSITION DESIGNATION LIST WITH OBJECTIONS**

James Callahan and Willie McNair (the “Plaintiffs”) and Richard Allen, et al. (the “Defendants”) hereby submit the following fact witness deposition designations, with objections.

The parties reserve the right at trial to use only selected portions of a witness’ deposition designation, to call a witness live instead of by deposition designation, or to not use at all a deposition designation for a particular witness. The parties also reserve the right to use, or object to the use of, any portion of expert deposition testimony.

<b>Deponent</b>	<b>Plaintiffs' Designations</b>	<b>Defendants' Objections to Plaintiffs' Designations</b>	<b>Defendants' Designations</b>	<b>Plaintiffs' Objections to Defendants' Designations</b>
<b>Grantt Culliver</b>	<p>Page 07 Line 14 through Page 07 Line 16</p> <p>Page 08 Line 17 through Page 09 Line 10</p> <p>Page 12 Line 23 through Page 13 Line 07</p> <p>Page 13 Line 13 through Page 14 Line 02</p> <p>Page 14 Line 05 through Page 16 Line 18</p> <p>Page 17 Line 01 through Page 17 Line 06</p> <p>Page 18 Line 20 through Page 22 Line 04</p> <p>Page 23 Line 10 through Page 26 Line 18</p> <p>Page 35 Line 06 through Page 37 Line 04</p> <p>Page 37 Line 12 through Page 38 Line 07</p> <p>Page 38 Line 20 through Page 39 Line 02</p> <p>Page 39 Line 08 through Page 43 Line 22</p> <p>Page 44 Line 22 through Page 45 Line 05</p> <p>Page 46 Line 09 through Page 61 Line 12</p> <p>Page 61 Line 23 through</p>	No objections.	Entire Deposition	<p>Entire transcript is hearsay as to Defendants, not subject to any exception.* <b>FRE 801, 802</b></p> <p>The deposition is inadmissible under Federal Rule of Civil Procedure 32. * In all hearsay objections, not subject to any exceptions.</p>

<b>Deponent</b>	<b>Plaintiffs' Designations</b>	<b>Defendants' Objections to Plaintiffs' Designations</b>	<b>Defendants' Designations</b>	<b>Plaintiffs' Objections to Defendants' Designations</b>
	Page 65 Line 03  Page 65 Line 08 through Page 66 Line 03  Page 66 Line 23 through Page 68 Line 15  Page 69 Line 12 through Page 69 Line 19  Page 70 Line 14 through Page 71 Line 08  Page 71 Line 18 through Page 74 Line 23  Page 75 Line 07 through Page 75 Line 09  Page 75 Line 24 through Page 76 Line 20  Page 79 Line 23 through Page 80 Line 06  Page 80 Line 12 through Page 81 Line 05  Page 81 Line 13 through Page 83 Line 05  Page 84 Line 14 through Page 86 Line 23  Page 87 Line 14 through Page 88 Line 06  Page 89 Line 17 through Page 89 Line 22  Page 90 Line 14 through Page 91 Line 04			

Deponent	Plaintiffs' Designations	Defendants' Objections to Plaintiffs' Designations	Defendants' Designations	Plaintiffs' Objections to Defendants' Designations
	<p>Page 91 Line 23 through Page 92 Line 21</p> <p>Page 93 Line 09 through Page 94 Line 17</p> <p>Page 96 Line 09 through Page 98 Line 04</p> <p>Page 101 Line 25 through Page 104 Line 04</p> <p>Page 105 Line 11 through Page 106 Line 03</p> <p>Page 106 Line 06 through Page 106 Line 16</p> <p>Page 107 Line 05 through Page 107 Line 19</p> <p>Page 108 Line 04 through Page 108 Line 19</p>			
<b>EMT-1</b>	<p>Page 06 Line 14 through Page 06 Line 16</p> <p>Page 07 Line 20 through Page 08 Line 14</p> <p>Page 09 Line 04 through Page 09 Line 11</p> <p>Page 10 Line 11 through Page 10 Line 22</p> <p>Page 11 Line 12 through Page 12 Line 04</p> <p>Page 13 Line 05 through Page 13 Line 22</p> <p>Page 14 Line 14 through</p>	No objections.	Entire deposition.	<p>Entire transcript is hearsay as to Defendants. <b>FRE 801, 802</b></p> <p>The deposition is inadmissible under Federal Rule of Civil Procedure 32.</p>

<b>Deponent</b>	<b>Plaintiffs' Designations</b>	<b>Defendants' Objections to Plaintiffs' Designations</b>	<b>Defendants' Designations</b>	<b>Plaintiffs' Objections to Defendants' Designations</b>
	Page 14 Line 20  Page 14 Line 24 through Page 17 Line 05  Page 19 Line 03 through Page 20 Line 20  Page 21 Line 02 through Page 21 Line 18  Page 21 Line 21 through Page 21 Line 25  Page 22 Line 14 through Page 23 Line 07  Page 24 Line 17 through Page 25 Line 18  Page 25 Line 24 through Page 26 Line 20  Page 27 Line 04 through Page 27 Line 21  Page 28 Line 07 through Page 29 Line 02  Page 29 Line 19 through Page 30 Line 08  Page 30 Line 12 through Page 31 Line 19  Page 32 Line 04 through Page 38 Line 08  Page 39 Line 03 through Page 39 Line 06  Page 39 Line 14 through Page 40 Line 15			

Deponent	Plaintiffs' Designations	Defendants' Objections to Plaintiffs' Designations	Defendants' Designations	Plaintiffs' Objections to Defendants' Designations
	Page 40 Line 19 through Page 41 Line 08  Page 46 Line 10 through Page 46 Line 24			
<b>EMT-2</b>	Page 06 Line 01 through Page 06 Line 16  Page 08 Line 04 through Page 08 Line 15  Page 09 Line 14 through Page 09 Line 18  Page 10 Line 16 through Page 15 Line 22  Page 19 Line 16 through Page 22 Line 04  Page 22 Line 10 through Page 24 Line 04	No objections.	Entire deposition.	Entire transcript is hearsay as to Defendants. <b>FRE 801, 802</b>  The deposition is inadmissible under Federal Rule of Civil Procedure 32.
<b>DOC-1</b>	Page 06 Line 15 through Page 06 Line 17  Page 07 Line 20 through Page 08 Line 05  Page 08 Line 17 through Page 09 Line 08  Page 09 Line 09 through Page 10 Line 01  Page 10 Line 20 through Page 11 Line 09  Page 11 Line 13 through Page 11 Line 17  Page 13 Line 04 through	No objections.	Entire deposition.	No objections, except as to: 39:19-40:02 41:14-41:21 42:06-42:11 Leading. <b>FRE 611(c).</b>

Deponent	Plaintiffs' Designations	Defendants' Objections to Plaintiffs' Designations	Defendants' Designations	Plaintiffs' Objections to Defendants' Designations
	Page 14 Line 23  Page 15 Line 12 through Page 24 Line 01  Page 24 Line 20 through Page 26 Line 10  Page 26 Line 21 through Page 29 Line 21  Page 31 Line 03 through Page 31 Line 16  Page 31 Line 24 through Page 33 Line 04  Page 33 Line 20 through Page 34 Line 16  Page 35 Line 04 through Page 35 Line 07  Page 35 Line 12 through Page 36 Line 22			
<b>DOC-2</b>	Page 06 Line 15 through Page 06 Line 17  Page 07 Line 16 through Page 07 Line 19  Page 07 Line 24 through Page 08 Line 02  Page 08 Line 12 through Page 08 Line 15  Page 10 Line 08 through Page 12 Line 13  Page 12 Line 19 through Page 12 Line 22	No objections.	Entire deposition.	No objections.

<b>Deponent</b>	<b>Plaintiffs' Designations</b>	<b>Defendants' Objections to Plaintiffs' Designations</b>	<b>Defendants' Designations</b>	<b>Plaintiffs' Objections to Defendants' Designations</b>
	Page 13 Line 08 through Page 17 Line 03  Page 17 Line 10 through Page 20 Line 09  Page 20 Line 18 through Page 26 Line 23  Page 27 Line 13 through Page 27 Line 19  Page 28 Line 15 through Page 28 Line 21  Page 29 Line 14 through Page 30 Line 03  Page 31 Line 04 through Page 31 Line 21  Page 32 Line 06 through Page 32 Line 21  Page 34 Line 23 through Page 35 Line 21  Page 35 Line 25 through Page 36 Line 13  Page 36 Line 19 through Page 37 Line 23  Page 38 Line 14 through Page 39 Line 06  Page 43 Line 12 through Page 44 Line 14  Page 44 Line 22 through Page 45 Line 25  Page 46 Line 23 through			



Deponent	Plaintiffs' Designations	Defendants' Objections to Plaintiffs' Designations	Defendants' Designations	Plaintiffs' Objections to Defendants' Designations
	Page 47 Line 11			
<b>RN</b>	Page 06 Line 15 through Page 06 Line 17  Page 08 Line 16 through Page 09 Line 06  Page 09 Line 23 through Page 12 Line 15  Page 13 Line 05 through Page 13 Line 07  Page 13 Line 13 through Page 14 Line 03  Page 15 Line 10 through Page 15 Line 14  Page 15 Line 18 through Page 16 Line 10  Page 17 Line 01 through Page 17 Line 06  Page 17 Line 11 through Page 17 Line 19  Page 19 Line 01 through Page 20 Line 03  Page 20 Line 24 through Page 23 Line 06  Page 23 Line 13 through Page 23 Line 16  Page 23 Line 22 through Page 23 Line 25  Page 27 Line 21 through Page 28 Line 07	No objections.	Entire deposition.	No objections, except as to: 27:21-28:01 Vague and ambiguous. <b>FRE 611(a).</b>

Defendants do not object to entering into the record any portion of deposition testimony designated by the Plaintiffs. However, in Defendants' view, each of the deposition transcripts of Warden Culliver, EMT-1, EMT-2 and RN should be submitted in their entirety. If the depositions are not submitted in their entirety, then, in addition to the portions designated by the Plaintiffs, Defendants counter-designate:

<b>Deponent</b>	<b>Defendants' Counter-Designations</b>	<b>Plaintiffs' Objections</b>
<b>Grant Culliver</b>	p. 9:11 to 12:22 p. 26:19 to 27:24 p. 29:14-20 p. 30:21 to 32:18 p. 43:23 to 44:21 p. 45:6-13 p. 66:4-22 p. 68:16 to 69:11 p. 69:20 to 70:13 p. 83:6 to 84:13 p. 86:24 to 87:13 p. 88:11 to 89:16 p. 89:23 to 90:13 p. 91:5-15 p. 101:5-24 p. 104:5-9 p. 105:17-24	Objections set forth above. No further objections.
<b>EMT-1</b>	p. 8:14 to 9:2 p. 10:25 to 11:11 p. 12:5-10 p. 13:9-13 p. 14:4-13 p. 14:24 to 15:8 p. 23:8 to 24:6 p. 27:1-3 p. 27:22 to 28:6 p. 33:2 to 35:1 p. 38:9 to 39:6 p. 42:3 to 49:6	Objections set forth above. No further objections.
<b>EMT-2</b>	p. 8:16 to 9:7 p. 9:19 to 10:15 p. 11:25 to 12:9 p. 14:6-11 p. 14:23 to 15:8 p. 16:15 to 17:9	Objections set forth above. No further objections.

Deponent	Defendants' Counter-Designations	Plaintiffs' Objections
	p. 17:22 to 19:16 p. 22:5-9 p. 24:17 to 25:12 p. 26:11 to 27:3	

Date: September 24, 2007

/s/ Vincent R. FitzPatrick, Jr.  
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- and -

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**CERTIFICATE OF SERVICE**

I certify that on September 24, 2007, a copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: J. Clayton Crenshaw, James W. Davis, Corey Maze and Jasper Roberts.

/s/ Stephanie Cohen  
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